## UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN NORTHERN DIVISION

| CARY COSGROVE,  |                      |
|---|----------------------|
| Plaintiff,  | Case No. 2:16-CV-110 |
| v.  | Hon. Gordon J. Quist |
| JOHN BURKE, et al.,   |                      |
| Defendants.   |                      |
| ORDER ADOPTING REPORT AND RECOMMENDATION  |                      |
| The Court has reviewed Magistrate Judge Timothy Greeley's February 3, 2017, Report and            |                      |
| Recommendation recommending that the Court grant Defendants' motion for summary judgment          |                      |
| based on Plaintiff's failure to exhaust, and dismiss Plaintiff's claims against Defendants Burke, |                      |
| Pesola, and Dube without prejudice. The Report and Recommendation was duly served on the          |                      |
| parties on February 3, 2017. No objections have been filed pursuant to 28 U.S.C. § 636(b).        |                      |
| THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate                     |                      |
| Judge, filed February 3, 2017 (ECF No. 28), is approved and adopted as the opinion of the Court.  |                      |
| IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment (ECF No.                       |                      |
| 24) is GRANTED, and Plaintiff's claims against Defendants Burke, Pesola, and Dube are             |                      |
| DISMISSED WITHOUT PREJUDICE.  |                      |
| This case is <b>concluded</b> .   |                      |
|   |                      |

Dated: March 7, 2017

/s/ Gordon J. Quist GORDON J. QUIST

UNITED STATES DISTRICT JUDGE